

Nebraska Ethics Advisory Opinion for Lawyers  
No. 73-13

A LAWYER WHO HAS DEFENDED A WIFE IN A MARRIAGE DISSOLUTION ACTION BROUGHT BY HER HUSBAND, IS NOT DISQUALIFIED TO REPRESENT A THIRD PARTY WHO HAS ALSO BEEN SUED BY THE HUSBAND FOR ALIENATION OF AFFECTIONS AND CRIMINAL CONVERSATION, WITH THE CONSENT OF THE WIFE WHO DESIRES THAT HER LAWYER DEFEND THE THIRD PARTY.

DISCIPLINARY RULES APPLICABLE

DR 4-101(C) A lawyer may reveal:

(1) Confidences or secrets with the consent of the client or clients affected, but only after a full disclosure to them.

DR 5-105(C) In the situations covered by DR 5-105 (A)(B), a lawyer may represent the multiple clients if it is obvious that he can adequately represent the interests of each and if each consents to the representation after full disclosure of the possible effects of such representation on the exercise of his independent professional judgment on behalf of each.